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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

MATTHEW WADE BEASLEY; BEASLEY
LAW GROUP PC; JEFFREY J. JUDD;
CHRISTOPHER R. HUMPHRIES; J&J
CONSULTING SERVICES, INC., an Alaska
Corporation; J&J CONSULTING SERVICES,
INC., a Nevada Corporation; J AND J
PURCHASING LLC; SHANE M. JAGER;
JASON M. JONGEWARD; DENNY
SEYBERT; and ROLAND TANNER;

Defendants,

THE JUDD IRREVOCABLE TRUST; PAJ
CONSULTING INC; BJ HOLDINGS LLC;
STIRLING CONSULTING, L.L.C.; CJ
INVESTMENTS, LLC; JL2 INVESTMENTS,
LLC; ROCKING HORSE PROPERTIES, LLC;
TRIPLE THREAT BASKETBALL, LLC;
ACAC LLC; ANTHONY MICHAEL
ALBERTO, JR.; and MONTY CREW LLC;

Relief Defendants.

Case No. 2:22-cv-0612-JCM-EJY

**FABIAN VANCOTT'S CERTIFIED
STATEMENT**

Pursuant to paragraph 17C of the *Order Appointing Receiver* entered June 3, 2022 without a hearing (the “**Receiver Order**”),¹ non-party Fabian & Clendenin, P.C. d/b/a Fabian VanCott hereby makes the following certified statement setting forth, with respect to each such account or other asset, the balance in the account or description of the assets as of the close of business on the date of receipt of the notice:

1. On June 3, 2022, Mr. Anderson, a shareholder at Fabian VanCott, received a copy of the Receiver Order via ECF Notice on June 3, 2022 and via email on June 7, 2022 from proposed Attorneys for Geoff Winkler, Receiver for J&J Consulting Services, Inc., J&J Consulting Services, Inc., J and J Purchasing LLC, The Judd Irrevocable Trust, and BJ Holdings LLC;²

2. As previously disclosed to the Receiver, Fabian VanCott’s Interest On Lawyers’ Trust Account (“**Fabian VanCott’s IOLTA**”) holds \$750,000.00 in trust as an initial cash deposit that was a reasonable estimate of the value of legal services that are anticipated to be rendered and costs that are anticipated in the representation of Mr. Judd in various litigation in state, federal, and bankruptcy courts in Nevada, including the above-captioned matter;

3. The entire amount of \$750,000.00 has remained in Fabian VanCott’s IOLTA

¹ “A receiver must not be appointed except after hearing[.]” LR 66-2.

² Receipt of the Receiver Order via ECF Notice on June 3, 2022 and June 7, 2022 emails to Mr. Anderson is inadequate to provide to Fabian VanCott with actual notice as required by the Receiver Order, and Fed. R. Civ. P. 4(n), 5(a)(3). Attorneys purporting to represent Mr. Winkler as the Receiver sent these emails to Mr. Anderson and Mr. Winkler was carbon copied. Fabian VanCott notes that the Court has not yet entered an order authorizing their retention and that on June 7, 2022, these attorneys had not yet complied with paragraph 60 of the Receiver Order or Local Rule 66-6, which provides “[a] receiver must not employ an attorney, accountant, or investigator without first obtaining a court order authorizing the employment.” Fabian VanCott understands that these attorneys filed *Court-Appointed Receiver Geoff Winkler’s Motion for Order Authorizing Receiver to Employ Counsel* (the “**Motion to Employ**”) on June 10, 2022, after they had entered an appearance in the Bankruptcy Cases on June 10, 2022 purporting to represent Mr. Winkler as Receiver for the Debtors. Fabian VanCott is unaware of these attorneys filing any applications for employment with the Bankruptcy Court to date. Judd and Fabian VanCott reserve all rights with respect to the Motion to Employ and any requested compensation of these attorneys for work performed prior to the entry of any order by this Court authorizing their employment.

1 since Judd retained Fabian VanCott to represent him in various litigation in state, federal, and
2 bankruptcy courts in Nevada, which occurred prior to the SEC filing the complaint in the above-
3 captioned case;

4 4. Nevada statutory law gives this firm a perfected lien on a client's property in the
5 possession of the attorney for the value of the services which the attorney has rendered for the
6 client.³ See, e.g., *Fredianelli v. Fine Carman Price*, 133 Nev. 586, 589, 402 P.3d 1254, 1256
7 (2017) (quoting NRS 18.015(4)(b)). In addition, Fabian VanCott has contractual rights to use the
8 amount held in trust to pay for services rendered and to be rendered.

9 DATED this 10th day of June, 2022.

10
11 /s/ P. Bruce Badger
12 P. BRUCE BADGER, ESQ.
13 Utah State Bar No. 4791
14 FabianVanCott
215 S. State Street, Suite 1200
Salt Lake City, UT 84101
Telephone: (801) 531-8900
E-Mail: bbadger@fabianvancott.com
15 *General Counsel for Fabian VanCott*

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23 ³ On May 26, 2022 Fabian VanCott disclosed to counsel for the SEC that it had incurred fees of
24 \$250,842.50 (as of April 30, 2022), and estimated another \$60,000 for fees incurred in May 2022. Fabian
25 VanCott further disclosed it had incurred costs in the amount of \$16,667.37, as of April 30, 2022. This
information was forwarded to the receiver on June 5, 2022.

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 10th day of June, 2022, I caused a copy of the foregoing to be served to all those entitled to receive notice via ECF along with the following via e-mail, as required by paragraph 17 of the Receiver Order:

Via E-mail

Tracy S. Combs, Esq.

combst@sec.gov

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FronkC@sec.gov

Counsel for Plaintiff Securities and Exchange Commission

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Geoff Winkler, Receiver

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Proposed Attorneys for Geoff Winkler, Receiver for

J&J Consulting Services, Inc., J&J Consulting Services, Inc., J and

J Purchasing LLC, The Judd Irrevocable Trust, and BJ Holdings

LLC

DATED this 10th day of June, 2022.

/s/ Kevin N. Anderson

KEVIN N. ANDERSON, ESQ.